

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CR-6424-2023****Date of Decision: April 23, 2026****RAMESH KUMAR**

.....Petitioner

Versus

PARVEEN AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Akshay Kumar Jindal, Sr. Advocate with
Mr. Bhavya Vats, Advocate for the petitioner.

Mr. Bhavesh Ola, Advocate for the respondent.

HARKESH MANUJA, J. (ORAL)

By way of present revision petition challenge has been laid to an order dated 26.05.2023 passed by the learned Appellate Authority, whereby appeal preferred against the order dated 05.11.2022 passed by the learned Addl. Civil Judge (Sr. Division), Jind was dismissed. The operative paragraph Nos.13 and 14 of the said order are extracted hereunder:-

“13. Vide impugned order dated 05.11.2022 defendants were restrained from dispossessing the plaintiff from the house in dispute except in due course of law and defendants were also restrained from stopping/blocking water and electricity supply to the portion of the house in dispute which is under possession of plaintiff. However, learned Trial Court vide impugned order dated 05.11.2022 declined to restrain the defendant from alienating the house in dispute by observing that balance in convenience lies in favour of defendants being registered owners of the house in dispute. No fault lies in the said observations of learned Trial Court as at this stage except pleadings there is nothing on the record to prove that plaintiff is the owner of house in dispute. Even otherwise any alienation made by defendants during the pendency of the



suit shall be hit by the principle of lis-pendence as provided under Section 52 of Transfer of Property Act and said alienation shall be subject to the decree which shall be passed in the present suit. Hence, I find no illegality or infirmity in the impugned order dated 05.11.2022 passed by the Court of Ms. Rekha, learned Addl. Civil Judge (Senior Division), Jind, vide which the injunction application filed by the plaintiff was partly allowed.

14. *Therefore, in view of above discussion appeal filed by plaintiff is devoid of any merits and hence, hereby dismissed with no order as to costs."*

2. At the outset, learned counsel for the respondents submits that the consistent stand taken by them in their written statement is that respondents/defendants do not wish to alienate the suit property during pendency of the suit.

3. In view of the above, once the respondents/defendants themselves have stated that they would not alienate the suit property during pendency of the suit, the present revision petition is disposed of. The respondents/defendants shall remain bound by their statement.

4. Pending application(s), if any, shall also stand disposed of.

23.04.2026

Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>